

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

DAVID DIXON,

Plaintiff,

v.

SUMMIT BHC WESTFIELD LLC  
d/b/a MOUNTAIN LAUREL  
RECOVERY CENTER,

Defendant.

No. 4:19-CV-01267

(Judge Brann)

**ORDER**

**AND NOW**, this 29<sup>th</sup> day of July 2020, in accordance with the accompanying Memorandum Opinion, **IT IS HEREBY ORDERED** that:

1. Defendant Summit BHC Westfield LLC's Motion to Dismiss Counts I and III of the Amended Complaint (Doc. 15) is **GRANTED IN PART** and **DENIED IN PART** as follows:
  - a. Count I of the Amended Complaint is **DISMISSED** with prejudice.
  - b. Dixon's claim of gender discrimination under the Pennsylvania Human Relations Act (PHRA) set forth in Count III of the Amended Complaint is **DISMISSED** with prejudice.

- c. Defendant Summit's motion to dismiss Dixon's claim of retaliation under the PHRA set forth in Count III of the Amended Complaint is **DENIED**.
2. Defendant Summit shall file and serve an Answer to the remaining averments of the Amended Complaint pursuant to FED. R. CIV. P. 12(a)(4) on or before August 12, 2020.

BY THE COURT:

*s/ Matthew W. Brann*

Matthew W. Brann

United States District Judge